

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE : DOUGLAS E. LECRONE AND EUGENE D. PFLUEGER
SERIAL NO. : 10/785,614
FILED : February 24, 2004
FOR : METHOD AND APPARATUS FOR ENABLING CONSISTENT
ANCILLARY DISK ARRAY STORAGE DEVICE
OPERATIONS WITH RESPECT TO A MAIN
APPLICATION
EXAMINER : Elmira Mehrmanesh
ART UNIT : 2113

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

The owner, EMC Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,754,682. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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